

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DiAnn Lyons, *et al.*,

Plaintiff,

v.

MMC Group, LP, *et al.*,

Defendants.

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Civil Action No. 4:12-cv-02506

Judge Nancy F. Atlas

**NOTICE OF SETTLEMENT AND JOINT MOTION TO STAY CASE DEADLINES**  
**PENDING APPROVAL OF THE FLSA SETTLEMENT**

NOTICE IS HEREBY GIVEN that in this Fair Labor Standards Act (“FLSA”) collective action, the essential terms of a settlement agreement have been reached between, on the one hand, Plaintiff DIANN LYONS, individually and on behalf of all others similarly situated, and, on the other hand, Defendant C.D. MITCHELL & CO. (collectively, the “Parties”). The tentative settlement reached by the Parties is contingent upon the completion and execution of a comprehensive settlement agreement and is subject to approval by the Court.

The Parties are currently preparing the settlement agreement and intend to finalize the agreement on or before February 20, 2014. On or before February 27, 2014, the Parties intend to send notice of the settlement to all eligible FLSA collective class members to notify them of the settlement and to inform them of how to accept or reject their settlement offer. The Parties have agreed to provide collective class members sixty (60) days to respond to the notice. Within fourteen (14) calendar days of the end of the notice period, the Parties will file a joint motion requesting approval of the settlement and dismissal of the lawsuit. If the Court would like to schedule a conference to discuss the Parties’ settlement plan, the Parties will make themselves

available for a conference.

Due to the tentative settlement, the Parties respectfully request that all pending dates, deadlines, and events in the above-captioned action be stayed pending approval of the settlement.

The Parties have submitted a proposed order.

Dated: January 21, 2014

**NICHOLS KASTER, PLLP**

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